NOT REVIEWED
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DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY [illegible] DATE 7/29/81
UNDER SECRETARY OF STATE FOR MANAGEMENT
WASHINGTON
RDS ☐ or XDS ☐ EXT. DATE
TS AUTH. REASON(S)
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XR-7901603

ARA

January 25, 1979

79-0599

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1979 JAN 25 PM

TO: The Secretary

FROM: M - Ben H. Read

SUBJECT: Disposition of Jonestown Remains

Cy:

Governor Dupont of Delaware tried to reach you on the Guyana matter and I called back on your behalf. He said that State Representatives had indicated to the Delaware Congressional Delegation some weeks ago that they would have a plan for removal of the Guyana bodies by February 1 and he wanted to know where we stood.

I told him that we had such a plan, as indicated in the attached memo from Lee Marks, but that the January 23 action of the California Superior Court in giving the Interfaith Emergency Relief Committee 30 days to come up with a plan for transportation and interment of the bodies had created a new factor which we had to take into consideration. ~~and~~ I reminded him that some Members of Congress objected to any further federal outlays so we had to give the alternative court possibility every chance of success. He expressed understanding but said the political problems at his end were difficult too. (CBS television news at 7:00 this morning included a story on the coffins in Dover.)

Although it means additional delay, I recommend your approval of Lee Marks' memo for the reasons I indicated to Governor Dupont. Lee spoke to Matt Nimetz before he left for Mexico and he concurs. If you approve the recommendation, we will advise the Governor and other members of the Delaware Congressional Delegation and establish working contact with the Emergency Relief Committee.

DEPARTMENT OF STATE

ACTION MEMORANDUM

7901603

S/S

January 25, 1979

TO: The Secretary

THROUGH: C - Mr. Nimetz
M - Mr. Read

FROM: L - Lee Marks

SUBJECT: Update on Disposition of Jonestown Remains

Issue for Decision

That you approve the decision to take no further action to dispose of the Jonestown remains at USG expense pending the California court ruling on the motion by the Emergency Relief Committee to assume responsibility for the remains.

Essential Factors

You have asked for a memorandum on the status of the remains of the Jonestown victims. Of the 913 bodies originally at Dover Air Force Base, 639 have been identified. The next of kin have been notified and 314 of these have been claimed. The next of kin of approximately 69 victims have indicated that they cannot or will not claim the bodies. Two hundred seventy-four bodies remain unidentified; 210 of these are bodies of children (which are particularly hard to identify).

On January 23, a California Superior Court judge held a hearing on the motion to dissolve the Peoples Temple Corporation. The judge agreed to appoint a receiver, and to give creditors notice and 4 months opportunity to file their claims against the Corporation. All suits against the

Peoples Temple (PT) are to be stayed pending the outcome of these dissolution proceedings. (However, DOJ believes that the suit it filed for reimbursement in the US District Court in San Francisco on January 22 will continue.) The Superior Court judge also ruled that the Emergency Relief Committee* be given 30 days to submit a plan for transportation and interment of the Jonestown remains. Presumably, if the court accepts the Committee's plan it would order disbursement of the requisite amount of PT funds. It is unclear at this time whether the court would order immediate disbursement or would wait four months until all creditors have had an opportunity to file their claims.

The Interagency Group on Guyana had previously agreed on procedures for disposing of the Jonestown remains; including cremation of bodies which were identified but unclaimed by next of kin, and burial of unidentified bodies. However, in light of the California court's decision we believe the USG should not take any further action with regard to the remains until the court has issued its ruling on the Emergency Relief Committee's plan. Yet, we will be in a position to execute the Interagency Group's decision should the court deny the Emergency Relief Committee's plan.

There may be a certain amount of delay involved in this approach (the bodies could remain at Dover Air Force Base for four more months) and Delaware officials as well as DOD will probably be upset. However, we believe the advantages outweigh this drawback. Unless the Emergency Relief Committee is authorized to handle this problem, the USG will probably have to assume responsibility for disposing

*The Emergency Relief Committee is composed of the San Francisco chapter of the Council of Churches, the Rabbis Association of San Francisco, and the Bishop of the Catholic Archdiocese of San Francisco. The Committee was apparently formed to assist in the disposal of the Jonestown bodies.

of the unclaimed and unidentified bodies. On the assumption that most of the identified bodies will be claimed, the USG would have to dispose of approximately 300 bodies. However, there is a possibility that the number could go as high as 500-600. The average cost of disposal of the remains by either cremation or interment is approximately $150-200/body. Therefore, USG disposal of these remains could involve a substantial additional expense.

Guyana and Bob Lipshutz

Bob Lipshutz had suggested that the Government should fly the 600-odd bodies now at Dover Air Force Base to California because many of the next of kin are indigent and cannot afford to transport the bodies out there. He has asked that I raise this issue with you.

I think there are several very good reasons why we should not fly the bodies to California at USG expense, including the fact that we have already stretched our authority for our Jonestown related activities, and AID and its Congressional supporters will probably scream bloody murder if we use AID funds for such a flight. Moreover, US public opinion would oppose incurring a substantial additional USG expense particularly when there is a good possibility that the California court will authorize use of PT funds for this same purpose.

Recommendation:

That you authorize me to inform DOD, Delaware officials, and Bob Lipshutz that we will not proceed with disposition of the Jonestown remains at Government expense until the California Superior Court issues its decision on the Emergency Relief Committee's plan.

Approved _____ Disapproved _____

Drafted:
L/t:LBaumann:kg
1/24/79 ext 22716

Concurrences:
CA - Ms. Watson
ARA - Mr. Bushnell